

**MICHIGAN DEPARTMENT OF AGRICULTURE
PESTICIDE AND PLANT PEST MANAGEMENT DIVISION
PINE SHOOT BEETLE INTERIOR QUARANTINE**

WHEREAS, I Bill Schutte, Director, Michigan Department of Agriculture, having found that an exotic pest, known as the pine shoot beetle *Tomicus piniperda* (L.) which is an introduced pest of pine trees, has been detected in this state and has a very limited distribution at this time; and

WHEREAS, a proposed federal quarantine calls for the establishment of a parallel internal state quarantine;

NOW, THEREFORE, I, Bill Schutte, Director of the Michigan Department of Agriculture by the authority of Section 6 of Act No. 72 of the Public Acts of 1945, as amended, and Quarantine Regulation No. 620, do promulgate a quarantine to prevent the further spread of this pest and set forth: definitions, regulated articles, regulated areas, conditions of movement, violations and penalties, and special exemptions. This quarantine shall become effective on May 21, 1993. This quarantine supersedes all previous pine shoot beetle quarantines.

I. DEFINITIONS.

For the purpose of this quarantine the definitions in the enabling statute and regulations shall prevail. The following shall be construed to mean:

- (A) DIRECTOR means the Director of the Michigan Department of Agriculture or his or her authorized representative.
- (B) INFESTATION means the presence of the pine shoot beetle or the existence of the circumstances that make it reasonable to believe that the pine shoot beetle is present.
- (C) CERTIFICATE means a document issued or authorized to be issued by the Director to allow the movement of regulated articles to any destination.
- (D) PERSON means individual, society, association, partnership, corporation or other organized entities, incorporated or not.
- (E) MOVED (MOVE, MOVEMENT) means shipped, offered for shipment, received for transportation, transported, carried, or allowed to be moved or shipped.

II. REGULATED ARTICLES.

- (A) The pine shoot beetle, *Tomicus piniperda* (L.), in any living stage of development.
- (B) Entire plants or parts thereof of the genus *Pinus* spp.

- (C) Logs and lumber of pine *Pinus spp.*, with bark attached.
- (D) Any other article, product or means of conveyance when it is determined by the Director that it presents the risk of spread of pine shoot beetle, *Tomicus piniperda* (L.).

III. REGULATED AREAS.

The entire counties of Monroe, Berrien, Cass, St. Joseph, Ingham, Kalamazoo, Barry, Livingston, Clinton, Gratiot, and Eaton shall be considered regulated areas on the basis of confirmed presence of the pine shoot beetle, *Tomicus piniperda* (L.).

Any county where the presence of the pine shoot beetle, *Tomicus piniperda* (L.) is confirmed in the future, shall be considered a regulated area.

IV. CONDITIONS OF MOVEMENT OF REGULATED ARTICLES.

(A) Movement of the regulated articles from any regulated area to any destination outside the regulated area is prohibited, except under the following conditions.

1. A thorough examination of all regulated articles must take place. A pine shoot beetle certificate of inspection may then be issued based upon the determination by the inspector, grower or shipper authorized to conduct such inspection under a Compliance Agreement that no life stages of the pine shoot beetle, *Tomicus piniperda* (L.) are present; or the regulated articles have been treated in accordance with the methods described in Federal Pine Shoot Beetle Quarantine, 301.50.

2. The pine shoot beetle certificate shall be attached to the regulated articles, and remain on the regulated articles until such articles reach their final destinations, except when the certificate is attached to the shipping document and the regulated article is adequately described on the shipping document or on the certificate.

(B) All regulated articles originating outside the regulated area may move through the regulated area without a certificate of inspection under the following conditions:

1. Passage through the regulated area is made during October, November or December or when the ambient air temperature is below 50 degrees F. and the passage is made without stopping except to drop off loads, or refueling or for traffic conditions; or during the period of January through September when the temperature is 50 degrees F. or higher if the articles is shipped in an enclosed vehicle or is completely enclosed by a covering adequate to prevent access by the pine shoot beetle.

2. The point of origin of the regulated article is indicated on the waybill or shipping documents.

(C) Regulated articles originating outside any regulated area which are moved into the regulated area and exposed to potential infestation by pine shoot beetle shall be considered to have originated from a regulated area. These regulated articles may be moved from the regulated area under the conditions noted in IV (A) above.

(D) Movement of regulated articles from any regulated area through any non-regulated area to a regulated destination is prohibited without a pine shoot beetle certificate of inspection except under the following conditions:

1. Passage through a non-regulated area is made during October, November or December or when the ambient air temperature is below 50 degrees F. and the passage is made without stopping except for refueling or for traffic conditions; or during the period of January through September when the temperature is 50 degrees F. or higher if the articles is shipped in an enclosed vehicle or is completely enclosed by a covering adequate to prevent the escape of any pine shoot beetle.

2. The county and state of origin and the final destination of the regulated articles are to be indicated on the waybill or shipping documents.

(E) The waybill or shipping documents accompanying any shipment of regulated articles within or through Michigan shall indicate the county and state of origin of the regulated articles.

(F) This quarantine shall be subject to all amendments to Federal Pine Shoot Beetle Quarantine.

V. VIOLATIONS AND PENALTIES.

(A) Any regulated article imported into or moved within Michigan in violation of this quarantine shall be removed from the non-infested area immediately or destroyed at the option and expense of the owner or owners, under the direction of the Director.

(B) Any violation of this quarantine is subject to the full authority of the enabling statute, Act No. 72, Public Acts of 1945, as amended.

VI. SPECIAL EXEMPTIONS.

The Director may allow the movement of pine shoot beetle, *Tomicus piniperda* (L.) into or within Michigan for research purposed.

/s/ Bill Schuette, Director

Dated May 21, 1993